

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

2520 Venture Oaks Way, Suite 350
Sacramento, CA 95833
(916) 274-5721
FAX (916) 274-5743
www.dir.ca.gov/oshsb

**NOTICE OF PROPOSED MODIFICATIONS TO
CALIFORNIA CODE OF REGULATIONS****TITLE 8: Chapter 4, Subchapter 7, Article 10, Section 3380(d)
of the General Industry Safety Orders****Personal Protective Equipment**

Pursuant to Government Code Section 11346.8(c), the Occupational Safety and Health Standards Board (Standards Board) gives notice of the opportunity to submit written comments on the above-named standard in which further modifications are being considered as a result of public comments and/or Board staff evaluation.

Following the closure of the public comment period on August 19, 2004, the Division of Occupational Safety and Health (Division) expressed concern with specific references to existing Title 8 standards in the proposed text. The Division stated that the specific reference inadvertently omitted other pertinent standards applicable to the proposal. Consequently, Board staff has reviewed the proposed text and proposes further modifications based on discussion with the Division.

A copy of the full text of the regulation as originally proposed, and a copy of the modified text clearly indicating the further modifications, is attached for your information.

Any written comments on these modifications must be received by 5:00 p.m. on October 22, 2004, at the Occupational Safety and Health Standards Board, 2520 Venture Oaks Way, Suite 350, Sacramento, California 95833. This proposal will be scheduled for adoption at a future business meeting of the Standards Board.

The Standards Board's rulemaking files on the proposed action are open to public inspection Monday through Friday, from 8:00 a.m. to 4:30 p.m., at the Standards Board's office at 2520 Venture Oaks Way, Suite 350, Sacramento, California 95833.

Inquiries concerning the proposed changes may be directed to the Executive Officer, Keith Umemoto at (916) 274-5721.

**OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD**

Date: October 6, 2004

Keith Umemoto, Executive Officer

REGULATIONS AS ORIGINALLY PROPOSED

STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

PROPOSED STATE STANDARD,
TITLE 8, CHAPTER 4

Amend Section 3380 to read as follows:

§3380. Personal Protective Devices.

* * * * *

(d) The employer shall assure that all ~~employee-owned~~ personal protective equipment, whether employer-provided or employee-owned, complies with standards ~~and regulations~~ prescribed by ~~the Division of Industrial Safety in Articles 10 and 10.1 of these Orders.~~ The employer shall assure this equipment is maintained in a safe, sanitary condition.

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NOTE: Authority ~~and reference~~ cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

PROPOSED MODIFICATIONS

(Modifications are indicated by bold, double-underlined for new language and bold, strikeout for deleted language.)

STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

PROPOSED STATE STANDARD,
TITLE 8, CHAPTER 4

Amend Section 3380 to read as follows:

§3380. Personal Protective Devices.

* * * * *

(d) The employer shall assure that all ~~employee-owned~~ personal protective equipment, whether employer-provided or employee-~~provided owned~~, complies with the applicable Title 8 standards for the equipment and regulations ~~prescribed by the Division of Industrial Safety in Articles 10 and 10.1 of these Orders~~. The employer shall assure this equipment is maintained in a safe, sanitary condition.

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NOTE: Authority ~~and reference~~ cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.